IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1242 of 2006 (S/S)

1. Anoop Kumar Joshi
   S/o Sri Chandra Sekhar Joshi
2. Rajeev Panday
   S/o Sri Umesh Chandra Panday
3. Dinesh Chandra Tewari
   S/o Sri deep Chandra Tewari
4. Km. Hema Kaira
   D/o Sri Thakur Singh Kaira
5. Champa Adhikari
   D/o Sri Jasaud Singh Adhikari
6. Lakshmi Bora
   D/o Sri Pan Singh Bora
7. Dalip Singh Rawat
   S/o Sri Gopal Singh Rawat
8. Nandan Singh Rana
   S/o Sri Shiv Singh Rana
9. Shankar Singh Bora
   S/o Sri Shiv Singh Bora
10. Asha Panday
    D/o Sri Jagdish Chandra Panday

……. Petitioners

Versus

1. State of Uttaranchal.
   Through Secretary
   Education Department, Uttaranchal, Dehradun.
2. The Director of Education (Secondary)
   Dehradun, Uttaranchal.
3. The Joint Director of Education (Secondary)
   Kumaon Mandal, Nainital, Uttaranchal.
4. District Education Officer, Almora.
5. Managing Committee
   Mahatma Gandhi Smarak intermediate College,
   Chanauda, District Almora.
6. Managing Committee,
   Intermediate College, Salaunj, Distt. Almora.

…… Respondents

None for the petitioners.
Mr. Subhash Upadhyaya, learned counsel for respondent No. 6.
Mr. N.P. Sah, learned Sanding Counsel for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Mr. Subhash Upadhyaya, Advocate is present for respondent No. 6.

Learned Standing Counsel is present for the State.

2) By means of this petition, the petitioners, who are engaged as teachers under Parent Teacher Association Scheme on a consolidated salary of Rs. 1,500/-, have sought their regularisation in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases Page 01,*** that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) The writ petition is dismissed. Interim order, if any, stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: December 01, 2006
H.Negi